

# EXHIBIT F

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1                   UNITED STATES DISTRICT COURT  
2                   NORTHERN DISTRICT OF OHIO  
3  
4     JANE ROE, individually and on        )  
5     behalf of all others similarly        )  
6     situated,                                )  
7    )  
8     Plaintiffs,                              )  
9    )  
10    vs.                                        ) No. 1:12-cv-02288-JG  
11    ) Pages 1 - 129  
12    INTELLICORP RECORDS, INC., an        )  
13    Ohio corporation and DOES            )  
14    1-50, inclusive,                        )  
15    )  
16    Defendants.                              )  
17    )  
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19  
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21  
22    REPORTED BY:  
23    LESLIE L. WHITE  
24    CSR NO. 4148  
25    JOB NO.: 56991

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13    \*\*CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER\*\*  
14    VIDEOTAPED DEPOSITION OF MAURICE GEYEN  
15    LOS ANGELES, CALIFORNIA  
16    MONDAY, FEBRUARY 4, 2013  
17  
18  
19  
20  
21

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1 LOS ANGELES, CALIFORNIA; MONDAY, FEBRUARY 4, 2013

2 . 10:05 a.m.

- 00 -

4 THE VIDEOGRAPHER: This is the start of DVD  
5 labeled No. 1, the videotaped deposition of Maurice  
6 Geyen, taken in the matter of Jane Roe v.

7 IntelliCorp Records, Inc. filed in the United States  
8 District Court for the Central District of  
9 California, Case No. 1:12-cv-2288.

10 This deposition is being held at 1800  
11 Century Park East, Los Angeles, California on  
12 February 4th, 2013 at approximately 10:06 a.m.

13 My name is Brent Jordan from TSG  
14 Reporting, Inc. I'm the legal video specialist.  
15 The court reporter is Leslie White in association  
16 with TSG.

17                    Will counsel please identify themselves  
18                    for the record.

19 MS. ELBERT: Lauren Elbert and Samantha Knox  
20 from Davis Polk for the defendant IntelliCorp  
21 Records.

22 MR. SCHREIBER: Christian Schreiber from Chavez  
23 & Gertler on behalf of Jane Roe, the plaintiff.

24 THE VIDEOGRAPHER: Will the court reporter  
25 please swear in the witness.

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1                           MAURICE GEYEN,

2                           the witness herein, having been  
3                           first duly sworn, was examined  
4                           and testified as follows:

5

6                           EXAMINATION

7                           BY MS. ELBERT:

8                           Q     All right. So, Mr. Geyen, thank you again  
9                           for coming today, especially from such a long  
10                          distance.

11                          I'm Lauren Elbert. This is my colleague  
12                          Samantha Knox, and we represent IntelliCorp Records  
13                          in connection with the lawsuit that has been filed  
14                          against them.

15                          Have you ever been deposed before?

16                          A     Yes.

17                          Q     Okay. And what were the circumstances of  
18                          that case?

19                          A     I don't remember.

20                          Q     A long time ago?

21                          A     Yeah, it was a long time ago. I know I  
22                          have been deposed.

23                          Q     Okay. Well, you might remember some of  
24                          these basic ground rules. I'm just going to go over  
25                          them with you briefly.

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1 clarify it for you. If you don't, I'm going to  
2 assume that you understand the question.

3 All right?

4 A Yes.

5 Q Is there anything that might prevent you  
6 from testifying truthfully today?

7 A No.

8 Q All right. Do you understand that you  
9 were subpoenaed to appear for a deposition this  
10 morning?

11 A Yes.

12 Q Okay. If I can have -- the court reporter  
13 is going to hand you an exhibit marked Defendants'  
14 Exhibit 15.

15 Do you recall seeing this Subpoena before?

16 (Exhibit 15 was marked for  
17 identification by the Reporter.)

18 THE WITNESS: Yes.

19 BY MS. ELBERT:

20 Q And do you understand that you're  
21 testifying today on behalf of Smart Choice  
22 Investments, Inc., doing business as BrightStar?

23 A Yes.

24 Q And if you turn to the last page of the  
25 Subpoena you'll see a list of topics as part of

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1 check. Because typically, if you have -- you know,  
2 let's say you have a common name like Mary Smith.  
3 When you do a background check, you might get a  
4 hundred matches.

5 Q Uh-huh.

6 A It would be unfair to that person. So we  
7 ask for as much detailed information, so we can run  
8 a criminal background check, and if there's a match  
9 it's for the particular person that has applied for  
10 the job.

11 Q Okay. Do you know who would have  
12 performed the criminal background check on  
13 Ms. Hilliard?

14 A Most likely Claudine. She probably ran  
15 the actual report.

16 Q Okay, if I can see the report. This will  
17 be Exhibit 18.

18 (Exhibit 18 was marked for  
19 identification by the Reporter.)

20 BY MS. ELBERT:

21 Q Do you recognize this document, Mr. Geyen?

22 A Yes.

23 Q Okay. And if you look down that second  
24 box of information under "Order Information," there  
25 is a "User Name: May, Dolores."

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1 is listed?

2 A That's correct.

3 Q Okay. So if you turn ahead to the last  
4 page of this exhibit under, "California Criminal  
5 Record," you'll see that there is some criminal  
6 information included there.

7 A Yes.

8 Q You testified earlier that candidates who  
9 have criminal information turn up on their  
10 background report will be contacted with the results  
11 of that search.

12 Is this the type of criminal information  
13 that you were referring to?

14 A Yes.

15 Q Okay. Do you know whether Ms. Hilliard  
16 was contacted after this background search turned up  
17 this criminal information?

18 A Yes.

19 Q Do you know who contacted her?

20 A I know we sent her a letter.

21 Q Do you know whether anybody -- anybody  
22 called her at any time regarding this criminal  
23 background search report?

24 A I don't know if we initiated a call. I  
25 know that we had a conver- -- that my office had a

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1           A     My understanding is that she communicated  
2     it, and then her attorney communicated it.

3           Q     Okay. Did Ms. LaFourche -- did  
4     Ms. LaFourche speak to you following her phone  
5     conversation with Ms. Hilliard about her criminal  
6     background report?

7           A     Yes.

8           Q     And do you recall what she told you about  
9     the conversation, if anything?

10          A     Beginning with -- she sent a standard  
11     rejection letter because we had information on the  
12     background. She received a call from the applicant  
13     saying that her -- that that should not disqualify  
14     her from the job because the information had been  
15     expunged.

16                 She explained, "Well, the information is  
17     still on the report," and we received a letter from  
18     an attorney, like the next day.

19                 And if we get a letter from an attorney,  
20     I'm obviously going to be contacted by the office,  
21     and then I got involved immediately.

22          Q     Okay. Are we up to 19?

23                 (Exhibit 19 was marked for  
24     identification by the Reporter.)

25                 ///

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1 BY MS. ELBERT:

2 Q Mr. Geyen, I believe court reporter has  
3 provided you with Defendants' Exhibit 19.

4 Do you recognize this document?

5 A Yes.

6 Q And what do you recognize this document to  
7 be?

8 A Standard letter Miyoshi would send out if  
9 there was something that prevented us from  
10 processing an application, in this case the  
11 background information.

12 Q Okay. When you said a "standard letter,"  
13 would a letter like this be sent to any candidate  
14 that you rejected?

15 A For a background check, yes.

16 Q Would the letter be different if the  
17 candidate was rejected for a reason other than a  
18 background check issue?

19 A Yes.

20 Q And how would it differ?

21 A It would provide the -- based on your  
22 background, for instance, it might have something  
23 about experience, if the person has absolutely no  
24 experience as a caregiver.

25 Q Okay. So A few minutes ago when we were

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1                   REPORTER'S CERTIFICATE  
2                   OF  
3                   CERTIFIED SHORTHAND REPORTER  
4

5                   \* \* \* \* \*

6  
7  
8     I, THE UNDERSIGNED CERTIFIED SHORTHAND REPORTER, IN  
9     AND FOR THE STATE OF CALIFORNIA, DO HEREBY CERTIFY:  
10    THAT THE FOREGOING PROCEEDINGS WERE TAKEN BEFORE ME  
11    AT THE TIME AND PLACE THEREIN SET FORTH, AT WHICH  
12    TIME THE WITNESS WAS PUT UNDER OATH BY ME; THAT THE  
13    TESTIMONY OF THE WITNESS AND ALL OBJECTIONS AT THE  
14    TIME OF THE PROCEEDINGS WERE RECORDED  
15    STENOGRAPHICALLY BY ME AND WERE THEREAFTER  
16    TRANSCRIBED UNDER MY DIRECTION; THAT THE FOREGOING  
17    IS A TRUE RECORD OF THE TESTIMONY AND OF ALL  
18    OBJECTIONS MADE AT THE TIME OF THE PROCEEDINGS.

19

20

21    IN WITNESS WHEREOF, I HAVE SUBSCRIBED MY NAME ON:

22

DATE: February 14, 2013.

23

24

25

LESLIE L. WHITE, CSR NO. 4148